

Message Text

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ACTION DLOS-05

INFO OCT-01 EUR-12 ISO-00 SS-15 EA-06 IO-10 L-02 INR-07

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FM AMEMBASSY LONDON

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C O N F I D E N T I A L LONDON 01595

STADIS////////////////////////////////////

FOR DEPUTY SECRETARY INGERSOLL AND UNDER SECRETARY
MAW FROM JOHN NORTON MOORE.
DEPT PLEASE PASS D/LOS HULL, ALDRICH AND OES CLINGAN.
USUN PLEASE PASS AMBASSADOR STEVENSON.

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: 200 MILE FISHING FILL AND ARTICLE 7 ALTERNATIVE

1. DURING INFORMAL DISCUSSION WITH DAVID ANDERSON,
OFFICE OF THE LEGAL ADVISER, THE UK FCO, ANDERSON IN-
DICATED THAT IN HIS OPINION THERE WOULD BE A MAJOR
DIFFERENCE INTERNATIONALLY AS TO HOW THE 200 MILE
FISHING BILL AND A CAREFULLY DRAWN NON-DISCRIMINATORY
ARTICLE 7 ALTERNATIVE APPLICABLE TO NON-PARTIES WOULD BE
PERCEIVED. ANDERSON, WHO ARGUED AND WON RECENT ICELAND
FISHERIES CASE FOR UK, SAID FLATLY THAT IN HIS OPINION
NON-DISCRIMINATORY FISHERIES CONSERVATION MEASURES BY
COASTAL STATES ARE LAWFUL AND WOULD BE UPHELD BY
THE ICJ UNDER PRINCIPLES CONTAINED IN ICELAND CASE, HE
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FURTHER INDICATED THAT ARTICLE 7 ALTERNATIVE WOULD HAVE

MUCH LESS IMPACT ON LOS NEGOTIATIONS AND COMPARED IT TO NORWEGIAN TRAWL FREE ZONES NOW BEING SUCCESSFULLY NEGOTIATED BY EVENSEN. JUDGEMENT OF ANDERSON DOUBLY SIGNIFICANT AS ONE HEAVILY INVOLVED IN RECENT ICJ FISH-ERIES DECISION AND AS REPRESENTATIVE OF LEGAL ADVISER'S OFFICE IN IMPORTANT DISTANT WATER FISHING STATE.

2. ANDERSON ALSO INDICATED THAT THE CANADIANS TOLD HIM THEY HAVE DRAFTED A 200 MILE FISHING BILL AND THAT IF US PASSES 200 MILE BILL THEY WILL FOLLOW SUIT IN A MATTER OF QUOTE HOURS UNQUOTE.

3. FYI. ANDERSON INDICATED THAT UK HAS JUST SUCCESSFULLY CONCLUDED AGREEMENT WITH NORWAY ON NORWEGIAN TRAWL FREE ZONES BEING NEGOTIATED BY EVENSEN.

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